

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case Number 8:12CR291
)	
vs.)	DETENTION ORDER
)	
)	
SABAS RODRIGUEZ-CISNEROS,)	
)	
Defendant.)	

A. Order For Detention

X After the defendant waived a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).

B. Statement Of Reasons For The Detention

The Court orders the defendant's detention because it finds:

- X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.
- X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.

C. Finding Of Fact

The Court's findings are based on the evidence which was presented in court and that which was contained in the Pretrial Services Report, and includes the following:

- X (1) Nature and circumstances of the offense charged:
- X (a) The crime: (Count I) False Representation of a Social Security Number is a serious crime and carries a maximum penalty of 5 years imprisonment, (Count II) False Claim to U.S. Citizenship is a serious crime and carries a maximum penalty of 3 years imprisonment, (Count III) False Representation of a Social Security Number and (Count IV) Fraud and Misuse of Visas, Permits, and Other Documents are serious crimes and carry maximum penalties of 5 years imprisonment per count, and (Count V) Reentry of a Removed Alien after Felony Conviction is a serious crime and carries a maximum penalty of 10 years imprisonment.
- _____ (b) The offense is a crime of violence.
- _____ (c) The offense involves a narcotic drug.
- _____ (d) The offense involves a large amount of controlled substances, to wit:
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assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:

- _____ (1) A crime of violence; or
 - _____ (2) An offense for which the maximum penalty is life imprisonment or death; or
 - _____ (3) A controlled substance violation which has a maximum penalty of 10 years or more; or
 - _____ (4) A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3) above, and the defendant has a prior conviction for one of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed while the defendant was on pretrial release.
- _____ (b) That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because the Court finds that there is probable cause to believe:
- _____ (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more.
 - _____ (2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: September 21, 2012.

BY THE COURT:

s/ F. A. Gossett
United States Magistrate Judge